

## **REMARKS/ARGUMENTS**

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present amendment is being made to facilitate prosecution of the application.

### **I. STATUS OF THE CLAIMS AND FORMAL MATTERS**

Claims 1, 3-26, and 28-52 are pending. Claims 1, 26, 51, and 52, which are independent, are hereby amended. Claims 2, 27, 53 and 54 have been cancelled without prejudice or disclaimer of subject matter. Support for this Amendment is provided through the Specification as originally filed.

No new matter has been introduced by this amendment. Changes to the claims were not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes were made simply for clarification and to round out the scope of protection to which Applicants are entitled.

### **II. DOUBLE PATENTING**

Claims 53 and 54 are hereby cancelled, thereby obviating the Double Patenting issue.

### **III. REJECTIONS UNDER 35 U.S.C. §101**

Claim 52 has been amended thereby obviating the non-statutory subject matter rejection.

#### **IV. REJECTIONS UNDER 35 U.S.C. §112**

The present amendment amends the claims to recite subject matter that is explicitly described throughout the specification and particularly at page 64. Thus, Applicants submit that the 112 issue is hereby overcome.

#### **V. REJECTIONS UNDER 35 U.S.C. §103(a)**

Claims 1, 3-5, 7, 9-16, 18, 20, 22-26, 28-30, 32, 34-41, 43, 45, 47-50, and 51-54 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,356,903 (hereinafter “Baxter”) in view of U.S. Patent No. 5,742,816 (hereinafter “Barr”).

Claims 6, 8, 31, and 33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Baxter in view of Barr and further in view of U.S. Patent No. 6,421,675 (hereinafter “Ryan”).

Claims 17, 19, 21, 42, 44, and 46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Baxter in view of Barr and further in view of U.S. Patent No. 6,023,714 (hereinafter “Hill”).

As understood by Applicants, Baxter relates to a content management system for information delivery systems, including web-based systems, that organizes the content of the information separately from the appearance of the presented information.

As understood by Applicants, Barr relates to a method and apparatus for identifying textual documents and multimedia files corresponding to a search topic.

As understood by Applicants, Ryan relates to a method of updating an internet search engine database with the results of a user’s selection of specific web page listings from the general web page listing provided to the user as a result of his initial keyword search entry.

As understood by Applicants, Hill relates to dynamically adapting the layout of a document to a particular output device.

Applicants respectfully submit that the present claims are patentable over the cited references for at least the following reasons.

A. Cited references fail to meet all claim limitations

Claim 1 recites, *inter alia*:

**“...an external component, configured to remotely execute an application that may or may not retrieve web site data such that whether content is retrieved is a function of the remotely executed application...”** (Emphasis added)

Applicants respectfully submit that nothing has been found in Baxter, Barr, Ryan, or Hill, taken alone or in combination, that would teach or suggest the above-identified feature of claim 1. Specifically, neither Baxter, Barr, Ryan, nor Hill, taken alone or in combination, teach or suggest an external component, configured to remotely execute an application that may or may not retrieve web site data such that whether content is retrieved is a function of the remotely executed application, as recited in claim 1.

B. Office Action has failed to establish a *prima facie* case for obviousness

Applicants submit that the Office Action has not provided adequate basis for combining the references, as required. Applicants submit that the Office Action has not provided any explanation of the reasoning that leads to a legal conclusion of obviousness. Indeed, statements provided on page 5 merely state a conclusion and do not provide any basis for the combination.

Therefore, for at least these reasons, independent claim 1 is patentable.

Independent claims 26, 51 and 52 are similar, or somewhat similar, in scope and are therefore patentable for similar, or somewhat similar, reasons.

## **VI. DEPENDENT CLAIMS**

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

## **CONCLUSION**


In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate those portions of the references providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Applicants respectfully submit that all of the claims are in condition for allowance  
and request early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP  
Attorneys for Applicants

By   
Thomas F. Presson  
Reg. No. 41,442  
(212) 588-0800